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Arizona Corporation Commission

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COMMISSIONERS

DOUG LITTLE – Chairman  
BOB STUMP  
BOB BURNS  
TOM FORESE  
ANDY TOBIN

IN THE MATTER OF THE APPLICATION OF  
ARIZONA PUBLIC SERVICE COMPANY FOR A  
HEARING TO DETERMINE THE FAIR VALUE OF  
THE UTILITY PROPERTY OF THE COMPANY  
FOR RATEMAKING PURPOSES, TO FIX A JUST  
AND REASONABLE RATE OF RETURN  
THEREON, TO APPROVE RATE SCHEDULES  
DESIGNED TO DEVELOP SUCH RETURN.

DOCKET NO. E-01345A-16-0036

IN THE MATTER OF FUEL AND PURCHASED  
POWER PROCUREMENT AUDITS FOR ARIZONA  
PUBLIC SERVICE COMPANY.

DOCKET NO. E-01345A-16-0123

PROCEDURAL ORDER

**BY THE COMMISSION:**

On June 1, 2016, Arizona Public Service Company (“APS” or “Company”) filed with the Arizona Corporation Commission (“Commission”) the above-captioned Rate Case Application.

Parties to this docket are APS, the Commission’s Utilities Division (“Staff”), Richard Gayer; Patricia Ferré; Warren Woodward; IO Data Centers, LLC (“IO”); Freeport Minerals Corporation (“Freeport”); Arizonans for Electric Choice and Competition (“AECC”); Sun City Home Owners Association (“Sun City HOA”); Western Resource Advocates (“WRA”); Arizona Investment Council (“AIC”); Arizona Utility Ratepayer Alliance (“AURA”); Property Owners and Residents Association, Sun City West (“PORA”); Arizona Solar Energy Industries Association (“AriSEIA”); Arizona School Boards Association (“ASBA”) and Arizona Association of School Business Officials (“AASBO”) (collectively “ASBA/AASBO”); Cynthia Zwick; Arizona Community Action Association (“ACAA”); Southwest Energy Efficiency Project (“SWEEP”); the Residential Utility Consumer Office (“RUCO”); Vote Solar; Electrical District Number Eight and McMullen Valley Water Conservation & Drainage District (collectively, “ED8/McMullen”); The Kroger Co. (“Kroger”); Tucson Electric Power Company (“TEP”); Pima County; Solar Energy Industries Association (“SEIA”); the Energy Freedom

1 Coalition of America ("EFCA"); Wal-Mart Stores, Inc. and Sam's West, Inc. (collectively,  
2 "Walmart"); Local Unions 387 and 769 of the International Brotherhood of Electrical Workers, AFL-  
3 CIO (collectively, "the IBEW Locals"); Noble Americas Energy Solutions LLC ("Noble Solutions");  
4 the Arizona Competitive Power Alliance ("the Alliance"); Electrical District Number Six, Pinal  
5 County, Arizona ("ED 6"), Electrical District Number Seven of the County of Maricopa, State of  
6 Arizona ("ED7"), Aguila Irrigation District ("AID"), Tonopah Irrigation District ("TID"), Harquahala  
7 Valley Power District ("HVPD"), and Maricopa County Municipal Water Conservation District  
8 Number One ("MWD") (collectively, "Districts"); the Federal Executive Agencies ("FEA");  
9 Constellation New Energy, Inc. ("CNE"); Direct Energy, Inc. ("Direct Energy"); AARP; Sunrun Inc.  
10 ("Sunrun"); the City of Coolidge ("Coolidge"); REP America d/b/a ConservAmerica  
11 ("ConservAmerica"); and Granite Creek Power & Gas and Granite Creek Farms LLC (collectively,  
12 "Granite Creek").

13 On June 14, 2016, APS filed a Notice of Errata.

14 On June 23, 2016, APS filed its Second Notice of Errata.

15 On July 22, 2016, a Rate Case Procedural Order was issued setting the procedural schedule and  
16 associated procedural deadlines for this matter, granting several interventions, and granting several  
17 requests to receive service by email.

18 On August 1, 2016, a Procedural Order was issued granting Staff's request to consolidate the  
19 above-captioned dockets,<sup>1</sup> correcting typographical errors in the July 22, 2016 Rate Case Procedural  
20 Order, granting interventions, and granting requests to receive service by email.

21 On July 21, 2016, August 24, 2016, September 30, 2016, November 4, 2016, November 18,  
22 2016, and November 21, 2016, APS filed copies of presentations from their Rate Case Technical  
23 Conferences.

24 On October 14, 2016, a Procedural Order was issued granting APS's October 6, 2016 Motion  
25 for Procedural Conference and Interim Protective Order, which it filed in response to EFCA's October  
26 3, 2016 Notice of Deposition of Barbara D. Lockwood.

27  
28 <sup>1</sup> Docket No. E-01345A-16-0123 was opened on April 11, 2016.

1 On October 20, 2016, a procedural conference was held as scheduled by the Procedural Order  
2 issued October 14, 2016. APS, EFCA, TEP, Walmart, Freeport Minerals, AECC, Noble Solutions,  
3 CNE, Direct Energy, PORA, the Alliance, RUCO, and Staff appeared at the procedural conference  
4 through counsel or lay representative. During the procedural conference, APS, Noble Solutions, CNE,  
5 Direct Energy, EFCA, and Staff provided comments and arguments regarding discovery issues, and  
6 the matter was taken under advisement.

7 On October 21, 2016, a Procedural Order was issued rescheduling the date of the pre-hearing  
8 conference in this matter to March 13, 2017.

9 On November 17, 2016, a Procedural Order was issued setting procedural deadlines regarding  
10 the deposition of APS witness Barbara Lockwood.

11 On November 30, 2016, EFCA filed a Notice of Deposition of Barbara D. Lockwood. The  
12 Notice indicated that EFCA and APS settled upon December 15, 2016, at 9:00 a.m. as the date and  
13 time of the deposition.

14 On December 5, 2016, EFCA made three filings in regard to its Emergency Motion to Compel  
15 Production of Barbara Lockwood Calendar in Advance of Lockwood Deposition ("EFCA's Motion to  
16 Compel").

17 On December 7, 2016, APS filed its Response in Opposition to EFCA's Motion to Compel.

18 On December 7, 2016, APS filed its Motion to Compel ("APS's Motion to Compel").

19 On December 7, 2016, Mr. Gayer filed his Direct Testimony.

20 On December 12, 2016, EFCA filed a Reply in Support of its Motion to Compel.

21 On December 12, 2016, EFCA filed its Emergency Motion to Compel Production of Report  
22 Regarding Rate Impact.

23 On December 13, 2016, by Procedural Order, the Energy Freedom Coalition of America's  
24 Motion to Compel Production of Barbara Lockwood's Calendar was denied and Energy Freedom  
25 Coalition of America was ordered to file, no later than December 16, 2016, its Response to Arizona  
26 Public Service Company's December 7, 2016 Motion to Compel.

27 On December 13, 2016, EFCA filed a Notice of Withdrawal of its Emergency Motion to  
28 Compel Production of Report Regarding Rate Impact.

1 On December 14, 2016, Sunrun filed a Notice of Withdrawal as Intervenor.

2 On December 14, 2016, Patricia Lee Refo of Snell & Wilmer LLP filed a Notice of Appearance  
3 on behalf of APS.

4 On December 19, 2016, EFCA filed its Response to the Motion to Compel filed by APS.

5 On December 19, 2016, Staff filed a Request for Extension of Filing Deadline.

6 Numerous public comments have been filed.

7 Consents to Email Service

8 SEIA filed a Consent to Email Service in this docket, and sent an email to the Hearing Division  
9 from its designated email address.

10 Because SEIA has now completed all of the steps for approval of consent to Email Service in  
11 this docket, it is appropriate at this time to approve SEIA's Consent to Email Service.

12 Staff's Request for an Extension of Filing Deadline

13 Staff requests an extension of time filing its Direct testimony from December 21, 2016, to  
14 December 28, 2016, and states that it would not oppose a similar extension for all Intervenor's Direct  
15 Testimony. Staff states that a number of Staff analysts assigned to evaluate APS's rate application are  
16 also involved in the Commission's consideration of the Value of Solar issue heard by the Commission  
17 at its December Open Meeting, and are therefore unlikely to complete Staff's Direct Testimony on  
18 time.

19 Staff states that it has contacted all parties for which it has email addresses to inform them of  
20 its request, but that it has not had time to hear back from all parties. Staff states that it is of the  
21 understanding that neither APS nor RUCO oppose its request. Staff states that under the circumstances,  
22 it believes granting its request is appropriate.

23 Under the circumstances, Staff's request is reasonable and will be approved.

24 IT IS THEREFORE ORDERED that **the deadline for Staff and Intervenor's to file Direct**  
25 **Testimony** in this proceeding is hereby **extended from December 21, 2016 to December 28, 2016.**

26 IT IS FURTHER ORDERED that **Sunrun Inc.'s request to withdraw as an intervenor in**  
27 **this docket is hereby approved.**

28 IT IS FURTHER ORDERED that **Solar Energy Industries Association's consent to receive**

1 **service of all filings** in this docket, including all filings by other parties (including Commission Staff),  
2 all Procedural Orders and Recommended Opinions and Orders/Recommended Orders issued by the  
3 Commission's Hearing Division, and all filings made by a Commissioner or the Commission's  
4 Executive Director, **via email sent to Solar Energy Industries Association's designated email**  
5 **addresses** rather than via U.S. Mail, is hereby **approved**.

6 IT IS FURTHER ORDERED that each party or prospective party shall **refer to the Procedural**  
7 **Order Regarding Consent to Email Service** issued in this matter on **July 22, 2016**, for additional  
8 information regarding the process to consent to service by email. Information regarding Consent to  
9 Email Service is also available on the Commission's website (www.azcc.gov) by clicking on "Email  
10 Service Consent."

11 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend, or  
12 waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at  
13 hearing.

14 DATED this 21<sup>st</sup> day of December, 2016.

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18 TEENA JIBILIAN  
19 ASSISTANT CHIEF ADMINISTRATIVE LAW JUDGE  
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On this 21<sup>st</sup> day of December, 2016, the foregoing document was filed with Docket Control as a Procedural Order – Grants Extension of Time, and copies of the foregoing were mailed on behalf of the Hearing Division to the following who have not consented to email service. On this date or as soon as possible thereafter, the Commission's eDocket program will automatically email a link to the foregoing to the following who have consented to email service.

Thomas A. Loquvam  
Thomas L. Mumaw  
Melissa M. Krueger  
PINNACLE WEST CAPITAL CORPORATION  
400 North 5<sup>th</sup> Street, MS 8695  
Phoenix, AZ 85004

Attorneys for Arizona Public Service Company

[Thomas.Loquvam@pinnaclewest.com](mailto:Thomas.Loquvam@pinnaclewest.com)

[Thomas.Mumaw@pinnaclewest.com](mailto:Thomas.Mumaw@pinnaclewest.com)

[Melissa.Kreuger@pinnaclewest.com](mailto:Melissa.Kreuger@pinnaclewest.com)

[Amanda.Ho@pinnaclewest.com](mailto:Amanda.Ho@pinnaclewest.com)

[Debra.Orr@pinnaclewest.com](mailto:Debra.Orr@pinnaclewest.com)

[prefo@swlaw.com](mailto:prefo@swlaw.com)

**Consented to Service by Email**

Patricia Ferré  
P.O. Box 433  
Payson, AZ 85547  
[pFerréact@mac.com](mailto:pFerréact@mac.com)

**Consented to Service by Email**

Richard Gayer  
526 W. Wilshire Drive  
Phoenix, AZ 85003  
[rgayer@cox.net](mailto:rgayer@cox.net)

**Consented to Service by Email**

Warren Woodward  
55 Ross Circle  
Sedona, AZ 86336  
[w6345789@yahoo.com](mailto:w6345789@yahoo.com)

**Consented to Service by Email**

Anthony L. Wanger  
Alan L. Kierman  
Brittany L. DeLorenzo  
IO DATA CENTERS, LLC  
615 N. 48<sup>th</sup> St.  
Phoenix, AZ 85008

Patrick J. Black  
C. Webb Crockett  
FENNEMORE CRAIG, PC  
2394 E. Camelback Road, Suite 600  
Phoenix, Arizona 85016  
Attorneys for Freeport Minerals Corporation and  
Arizonans for Electric Choice and Competition  
[wrocket@fclaw.com](mailto:wrocket@fclaw.com)  
[pblack@fclaw.com](mailto:pblack@fclaw.com)  
[khiggins@energystrat.com](mailto:khiggins@energystrat.com)

**Consented to Service by Email**

Daniel Pozefsky, Chief Counsel  
RESIDENTIAL UTILITY CONSUMER OFFICE  
1110 W. Washington, Suite 220  
Phoenix, AZ 85007

Greg Eisert, Director  
Steven Puck, Director  
Government Affairs  
SUN CITY HOMEOWNERS ASSOCIATION  
10401 W. Coggins Drive  
Sun City, AZ 85351  
[gregeisert@gmail.com](mailto:gregeisert@gmail.com)  
[Steven.puck@cox.net](mailto:Steven.puck@cox.net)

**Consented to Service by Email**

Timothy M. Hogan  
ARIZONA CENTER FOR LAW IN THE PUBLIC  
INTEREST  
514 W. Roosevelt St.  
Phoenix, AZ 85003  
Attorneys for Western Resource Advocates,  
Southwest Energy Efficiency Project, and Vote Solar  
[thogan@aic@acli.org](mailto:thogan@aic@acli.org)  
[ken.wilson@westernresources.org](mailto:ken.wilson@westernresources.org)  
[schlegelj@aol.com](mailto:schlegelj@aol.com)  
[ezuckerman@swenergy.org](mailto:ezuckerman@swenergy.org)  
[bbaatz@aceee.org](mailto:bbaatz@aceee.org)  
[briana@votesolar.org](mailto:briana@votesolar.org)  
[cosuala@earthjustice.org](mailto:cosuala@earthjustice.org)  
[dbender@earthjustice.org](mailto:dbender@earthjustice.org)  
[cfitzgerrell@earthjustice.org](mailto:cfitzgerrell@earthjustice.org)

**Consented to Service by Email**

T. Hogan  
ARIZONA CENTER FOR LAW IN THE PUBLIC  
INTEREST  
514 W. Roosevelt St.  
Phoenix, AZ 85003  
Attorneys for Arizona School Boards Association and  
Arizona Association of School Business Officials

Meghan H. Grabel  
OSBORN MALEDON, P.A.  
2929 N. Central Ave., Suite 2100  
Phoenix, Arizona 85012  
Attorneys for Arizona Investment Council  
[Mgrabel@omlaw.com](mailto:Mgrabel@omlaw.com)  
[gyaquinto@arizonaic.org](mailto:gyaquinto@arizonaic.org)

**Consented to Service by Email**

\*Craig A. Marks  
CRAIG A. MARKS, PLC  
10645 N. Tatum Blvd., Suite 200-676  
Phoenix, AZ 85028  
Attorney for Arizona Utility Ratepayer Alliance  
[Craig.Marks@azbar.org](mailto:Craig.Marks@azbar.org)  
[Pat.Quinn47474@gmail.com](mailto:Pat.Quinn47474@gmail.com)

**Consented to Service by Email**

\*Al Gervenack, Director  
Rob Robbins, President  
PROPERTY OWNERS & RESIDENTS  
ASSOCIATION  
13815 Camino del Sol  
Sun City West, AZ 85372  
[Al.gervenack@porascw.org](mailto:Al.gervenack@porascw.org)  
[Rob.robbins@porascw.org](mailto:Rob.robbins@porascw.org)

**Consented to Service by Email**

\*Tom Harris, Chairman  
ARIZONA SOLAR ENERGY INDUSTRIES  
ASSOCIATION  
2122 W. Lone Cactus Dr., Suite 2  
Phoenix, AZ 85027  
[Tom.Harris@AriSEIA.org](mailto:Tom.Harris@AriSEIA.org)

**Consented to Service by Email**

\*Cynthia Zwick, Executive Director  
Kevin Hengehold, Energy Program Director  
ARIZONA COMMUNITY ACTION  
ASSOCIATION  
2700 N. 3<sup>rd</sup> Street, Suite 3040  
Phoenix, AZ 85004  
[czwick@azcaa.org](mailto:czwick@azcaa.org)  
[khengehold@azcaa.org](mailto:khengehold@azcaa.org)

**Consented to Service by Email**

Jay I. Moyes  
MOYES SELLERS & HENDRICKS LTD  
1850 N. Central Avenue, Suite 1100  
Phoenix, AZ 85012  
Attorneys for Electrical District Number Eight and  
McMullen Valley Water Conservation & Drainage  
District  
[JasonMoyes@law-msh.com](mailto:JasonMoyes@law-msh.com)  
[jimoyes@law-msh.com](mailto:jimoyes@law-msh.com)  
[jim@harcuvar.com](mailto:jim@harcuvar.com)

**Consented to Service by Email**

\*Kurt J. Boehm  
Jody Kyler Cohn  
BOEHM KURTZ & LOWRY  
36 E. Seventh Street, Suite 1510  
Cincinnati, OH 45202  
Attorneys for The Kroger Co.

\*John William Moore, Jr.  
7321 North 16<sup>th</sup> Street  
Phoenix, AZ 85020  
Attorney for The Kroger Co.

\*Giancarlo G. Estrada  
KAMPER ESTRADA, LLP  
3030 N. 3<sup>rd</sup> Street, Suite 770  
Phoenix, AZ 85012  
Attorneys for Solar Energy Industries Association  
[gestrada@lawphx.com](mailto:gestrada@lawphx.com)  
[kfox@kfwlaw.com](mailto:kfox@kfwlaw.com)  
[kcrandall@eq-research.com](mailto:kcrandall@eq-research.com)

**Consented to Service by Email**

\*Lawrence V. Robertson, Jr.  
210 Continental Road, Suite 216A  
Green Valley, AZ 85622  
Attorney for Noble Americas Energy Solutions LLC  
[tubaclawyer@aol.com](mailto:tubaclawyer@aol.com)

**Consented to Service by Email**

\*L. V. Robertson, Jr.  
210 Continental Road, Suite 216A  
Green Valley, AZ 85622  
Attorney for Constellation New Energy, Inc., and Direct  
Energy, Inc.

\*Michael W. Patten  
Jason D. Gellman  
SNELL & WILMER LLP  
One Arizona Center  
400 East Van Buren Street  
Phoenix, AZ 85004  
Attorneys for Tucson Electric Power Company  
[mpatten@swlaw.com](mailto:mpatten@swlaw.com)  
[jhoward@swlaw.com](mailto:jhoward@swlaw.com)  
[docket@swlaw.com](mailto:docket@swlaw.com)  
[Bcarroll@tep.com](mailto:Bcarroll@tep.com)

**Consented to Service by Email**

\*Charles Wesselhoft, Deputy County Attorney  
PIMA COUNTY ATTORNEY'S OFFICE  
32 North Stone Avenue, Suite 2100  
Tucson, AZ 85701  
[Charles.Wesselhoft@pcao.pima.gov](mailto:Charles.Wesselhoft@pcao.pima.gov)

**Consented to Service by Email**

\*Court S. Rich  
ROSE LAW GROUP PC  
7144 E. Stetson Drive, Suite 300  
Scottsdale, AZ 85251  
Attorneys for Energy Freedom Coalition of America  
[crich@roselawgroup.com](mailto:crich@roselawgroup.com)  
[hslaughter@roselawgroup.com](mailto:hslaughter@roselawgroup.com)

**Consented to Service by Email**

\*Greg Patterson  
MUNGER CHADWICK  
916 West Adams, Suite 3  
Phoenix, AZ 85007  
Attorneys for Arizona Competitive Power Alliance

\*Scott S. Wakefield  
HIENTON CURRY, PLLC  
5045 N. 12<sup>th</sup> Street, Suite 110  
Phoenix, AZ 85014  
Attorneys for Wal-Mart Stores, Inc.  
[swakefield@hclawgroup.com](mailto:swakefield@hclawgroup.com)  
[mlougee@hclawgroup.com](mailto:mlougee@hclawgroup.com)  
[Stephen.chriss@wal-mart.com](mailto:Stephen.chriss@wal-mart.com)  
[Greg.tillman@walmart.com](mailto:Greg.tillman@walmart.com)  
[chris.hendrix@wal-mart.com](mailto:chris.hendrix@wal-mart.com)  
**Consented to Service by Email**

\*Nicholas J. Enoch  
Kaitlyn A. Redfield-Ortiz  
Emily A. Tornabene  
LUBIN & ENOCH, PC  
349 N. 4<sup>th</sup> Avenue  
Phoenix, AZ 85003  
Attorneys for Local Unions 387 and  
769 of IBEW, AFL-CIO

\*Albert H. Acken  
Sheryl A. Sweeney  
Samuel L. Lofland  
RILEY CARLOCK & APPLEWHITE  
One N. Central Avenue, Suite 1200  
Phoenix, AZ 85004  
Attorneys for Electrical District Number Six, Pinal  
County, Arizona;  
Electrical District Number Seven of the County of  
Maricopa, State of Arizona;  
Aguila Irrigation District; Tonopah Irrigation District;  
Harquahala Valley Power District;  
and Maricopa County Municipal Water Conservation  
District Number One  
[aacken@rcalaw.com](mailto:aacken@rcalaw.com)  
[ssweeney@rcalaw.com](mailto:ssweeney@rcalaw.com)  
[slofland@rcalaw.com](mailto:slofland@rcalaw.com)  
[jjw@krsaline.com](mailto:jjw@krsaline.com)  
**Consented to Service by Email**

\*Ann-Marie Anderson  
WRIGHT WELKER & PAUOLE, PLC  
10429 South 51st Street, Suite 285  
Phoenix, AZ 85044  
Attorneys for AARP  
[aanderson@wwpfirm.com](mailto:aanderson@wwpfirm.com)  
[sjennings@aarp.org](mailto:sjennings@aarp.org)  
[aallen@wwpfirm.com](mailto:aallen@wwpfirm.com)  
[john@johncoffman.net](mailto:john@johncoffman.net)  
**Consented to Service by Email**

\*Thomas A. Jernigan  
Karen S. White  
FEDERAL EXECUTIVE AGENCIES  
U.S. Air Force Utility Law Field Support Center  
139 Barnes Drive, Suite 1  
Tyndall Air Force Base, FL 32403  
Attorneys for Federal Executive Agencies  
[thomas.jernigan.3@us.af.mil](mailto:thomas.jernigan.3@us.af.mil)  
[ebony.payton.ctr@us.af.mil](mailto:ebony.payton.ctr@us.af.mil)  
[andrew.unsicker@us.af.mil](mailto:andrew.unsicker@us.af.mil)  
[lanny.zieman.1@us.af.mil](mailto:lanny.zieman.1@us.af.mil)  
[natalie.cepak.2@us.af.mil](mailto:natalie.cepak.2@us.af.mil)  
**Consented to Service by Email**

\*Robert L. Pickels, Jr.  
Sedona City Attorney's Office  
102 Roadrunner Drive  
Sedona, AZ 86336  
Attorneys for City of Sedona  
[rpickels@sedonaaz.gov](mailto:rpickels@sedonaaz.gov)  
**Consented to Service by Email**

\*Garry D. Hays  
THE LAW OFFICES OF GARRY D. HAYS, PC  
2198 E. Camelback Rd., Suite 305  
Phoenix, AZ 85016  
Attorney for the Arizona Solar Deployment Alliance  
[ghays@lawgdh.com](mailto:ghays@lawgdh.com)  
**Consented to Service by Email**

\*Jason Pistiner  
SINGER PISTINER PC  
15849 N 71<sup>st</sup> St, Ste. 100  
Scottsdale, AZ 85254  
Attorneys for Sunrun Inc.  
[jp@singerpistiner.com](mailto:jp@singerpistiner.com)  
[kfox@kfwlaw.com](mailto:kfox@kfwlaw.com)  
[kcrandall@eq-research.com](mailto:kcrandall@eq-research.com)  
**Consented to Service by Email**

\*Thomas E. Stewart, General Manager  
GRANITE CREEK POWER & GAS LLC  
GRANITE CREEK FARMS LLC  
5316 E. Voltaire Ave.  
Scottsdale, AZ 85254-3643  
[tom@gcfaz.com](mailto:tom@gcfaz.com)  
**Consented to Service by Email**

\*Denis M. Fitzgibbons  
FITZGIBBONS LAW OFFICES, PLC  
115 E. Cottonwood Lane, Suite 150  
PO Box 11208  
Casa Grande, AZ 85130  
Attorney for City of Coolidge  
[denis@fitzgibbonslaw.com](mailto:denis@fitzgibbonslaw.com)  
**Consented to Service by Email**



1 Timothy J. Sabo  
2 SNELL & WILMER, LLP  
3 One Arizona Center  
4 400 E. Van Buren St.  
5 Phoenix, AZ 85004  
6 Attorneys for REP America d/b/a ConservAmerica  
7 [tsabo@swlaw.com](mailto:tsabo@swlaw.com)  
8 [jhoward@swlaw.com](mailto:jhoward@swlaw.com)  
9 [docket@swlaw.com](mailto:docket@swlaw.com)  
10 [pwalker@conservamerica.org](mailto:pwalker@conservamerica.org)  
11 **Consented to Service by Email**

12 Janet Wagner, Interim Director  
13 Legal Division  
14 ARIZONA CORPORATION COMMISSION  
15 1200 West Washington Street  
16 Phoenix, AZ 85007  
17 Attorneys for the Utilities Division  
18 [LegalDiv@azcc.gov](mailto:LegalDiv@azcc.gov)  
19 [JXHatch-Miller@azcc.gov](mailto:JXHatch-Miller@azcc.gov)  
20 [MScott@azcc.gov](mailto:MScott@azcc.gov)  
21 [CHains@azcc.gov](mailto:CHains@azcc.gov)  
22 [WVanCleve@azcc.gov](mailto:WVanCleve@azcc.gov)  
23 [EAbinah@azcc.gov](mailto:EAbinah@azcc.gov)  
24 [TFord@azcc.gov](mailto:TFord@azcc.gov)  
25 [EVanEpps@azcc.gov](mailto:EVanEpps@azcc.gov)  
26 [CFitzsimmons@azcc.gov](mailto:CFitzsimmons@azcc.gov)  
27 [KChristine@azcc.gov](mailto:KChristine@azcc.gov)  
28 **Consented to Service by Email**

By: RTallman  
Rebecca Tallman  
Assistant to Teena Jibilian